

AMENDED IN ASSEMBLY APRIL 21, 2014

AMENDED IN ASSEMBLY MARCH 26, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2050

Introduced by Assembly Member Quirk

February 20, 2014

An act to *amend Section 38591 of, and to add and repeal Sections Section 38561.5 and 38561.7 of, the Health and Safety Code, relating to greenhouse gases.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2050, as amended, Quirk. California Global Warming Solutions Act of 2006: scoping plan: advisory ~~panel~~: *committee*.

The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions. The act requires the scoping plan to be updated at least once every 5 years.

This bill, until January 1, ~~2020~~, 2019, would require the state board to include specified elements when updating the scoping plan. The bill would require the state board, on or before January 1, ~~2020~~, 2019, to submit a report to the appropriate committees of the Legislature on those specified elements of the updated scoping plan.

~~This bill, until January 1, 2020, would establish the Scoping Plan Advisory Panel, as specified. The bill would require the panel, on or before January 1, 2019, to submit a report to the appropriate committees of the Legislature evaluating and reporting key findings and recommendations on the update of the scoping plan.~~

Existing law requires the state board to appoint an Economic and Technology Advancement Advisory Committee to advise the state board on activities that will facilitate investment in and implementation of technological research and development opportunities, as specified. Existing law also authorizes the committee to advise the state board on economic and technological developments relating to greenhouse gas emission reductions.

This bill would require the committee to consist of between 5 and 10 members who are experts in energy technology and economics. The bill would delete the authorization for the committee to advise the state board on developments relating to greenhouse gas emission reductions and would instead authorize the committee to conduct an economic assessment that includes a marginal cost analysis of various strategies for reducing greenhouse gases.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) *Climate change is a global emissions problem.*
- 4 ~~(a)~~
- 5 (b) *California is responsible for less than 2 approximately 1*
- 6 *percent of the world's global greenhouse gas emissions and, thus,*
- 7 ~~*cannot mitigate the effects of climate change with any meaningful*~~
- 8 ~~*solutions without the participation of key states and nations needs*~~
- 9 *to address the problem of climate change with a global perspective.*
- 10 (c) *A majority of greenhouse gas emissions will be coming from*
- 11 *developing countries over the next few decades. In order for*
- 12 *California to be a leader in fighting global climate change, the*
- 13 *state should be focusing on inventing and developing the*
- 14 *technologies necessary to replace fossil fuel as the primary fuel*
- 15 *source in order to allow the developing nations of the world to*
- 16 *achieve low-carbon economic growth.*

~~(b)~~

(d) It is in the best interest of the state to ensure that the goals to reduce greenhouse gas emissions are flexible and developed with the intent to produce adaptable policies and programs that other states and nations could reasonably adopt.

~~(e)~~

(e) Demonstrating effective climate change policy can increase the likelihood that other states and nations will follow California's lead, which is necessary for the state to have a significant effect on the global climate change problem.

SEC. 2. Section 38561.5 is added to the Health and Safety Code, to read:

38561.5. (a) On or before January 1, 2019, for purposes of the update of the scoping plan pursuant to subdivision (h) of Section 38561, the state board shall include, but not be limited to, all of the following:

(1) A proposal for further reducing greenhouse gas emissions by 2050, including intermediate goals.

(2) An evaluation of the emissions-reduction goals proposed pursuant to paragraph (1) based on what technologies can be scaled to the rest of the country and the world that ensure cost-effectiveness and maintain local and systemwide reliability.

(3) The establishment of consistent metrics to accurately quantify greenhouse gas emissions from technologies that are designed to reduce greenhouse gases and retrofits *to existing technologies* that increase overall efficiency for the ~~purpose~~ *purposes* of reducing ~~a~~ *their* carbon footprint.

(b) (1) On or before January 1, ~~2020~~, 2019, the state board shall submit to the appropriate committees of the Legislature the elements of the update of the scoping plan included pursuant to subdivision (a).

(2) A report to be submitted pursuant to this paragraph shall be submitted in compliance with Section 9795 of the Government Code.

(c) This section shall remain in effect only until January 1, ~~2020~~, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, ~~2020~~, 2019, deletes or extends that date.

~~SEC. 3. Section 38561.7 is added to the Health and Safety Code, to read:~~

1 ~~38561.7. (a) (1) The Scoping Plan Advisory Panel shall be~~
2 ~~appointed to advise the state board on the update of the scoping~~
3 ~~plan completed pursuant to Section 38561.5.~~

4 ~~(2) The members of the panel shall be highly qualified and~~
5 ~~professionally active or engaged in the economic development of~~
6 ~~the technologies associated with the reduction and mitigation of~~
7 ~~greenhouse gas emissions and shall be appointed as follows:~~

8 ~~(A) Five members shall be appointed by the Secretary for~~
9 ~~Environmental Protection, all of whom shall be qualified as ____.~~

10 ~~(B) Two members shall be appointed by the Senate Committee~~
11 ~~on Rules, both of whom shall be qualified as ____.~~

12 ~~(C) Two members shall be appointed by the Speaker of the~~
13 ~~Assembly, both of whom shall be qualified as ____.~~

14 ~~(D) Members of the panel shall be appointed from a pool of~~
15 ~~nominees submitted to each appointing body by the President of~~
16 ~~the University of California. The pool shall include, at a minimum,~~
17 ~~three nominees for each discipline represented on the panel.~~

18 ~~(3) (A) On or before January 1, 2019, the panel shall evaluate~~
19 ~~and report key findings and recommendations to the appropriate~~
20 ~~committees of the Legislature on the update of the scoping plan~~
21 ~~completed pursuant to Section 38561.5 and subdivision (h) of~~
22 ~~Section 38561, including, but not limited to, both of the following:~~

23 ~~(i) Any continuation, modification, or suspension of any program~~
24 ~~reasoned to be appropriate.~~

25 ~~(ii) An economic assessment that includes, but is not limited~~
26 ~~to, a marginal cost curve analysis of each program contained in~~
27 ~~the scoping plan to provide an assessment of cost-effectiveness.~~

28 ~~(B) A report to be submitted pursuant to this paragraph shall be~~
29 ~~submitted in compliance with Section 9795 of the Government~~
30 ~~Code.~~

31 ~~(4) The panel may utilize special consultants or establish ad hoc~~
32 ~~committees, which may include other scientists, to assist the panel~~
33 ~~in performing its functions.~~

34 ~~(5) Any ad hoc committees or hearings conducted pursuant to~~
35 ~~paragraph (4) shall be held at the Sacramento headquarters of the~~
36 ~~California Environmental Protection Agency.~~

37 ~~(6) Members of the panel, and any ad hoc committee established~~
38 ~~by the panel, shall submit annually a financial disclosure statement~~
39 ~~that includes a listing of income received within the preceding~~
40 ~~three years, including investments, grants, and consulting fees~~

1 derived from individuals or businesses that might be affected by
2 regulatory actions undertaken by the state board pursuant to this
3 division. The financial disclosure statements submitted pursuant
4 to this subdivision are public information. Members of the panel
5 shall be subject to the disqualification requirements of Section
6 87100 of the Government Code.

7 ~~(7) Members of the panel shall receive one hundred dollars~~
8 ~~(\$100) per day for attending panel meetings and meetings of the~~
9 ~~state board, or upon authorization of the chair of the state board~~
10 ~~while on official business of the panel, and shall be reimbursed~~
11 ~~for actual and necessary travel expenses incurred in the~~
12 ~~performance of their duties.~~

13 ~~(8) The panel shall receive sufficient resources, including, but~~
14 ~~not limited to, technical, administrative, and clerical support.~~

15 ~~(b) This section shall remain in effect only until January 1, 2020,~~
16 ~~and as of that date is repealed, unless a later enacted statute, that~~
17 ~~is enacted before January 1, 2020, deletes or extends that date.~~

18 *SEC. 3. Section 38591 of the Health and Safety Code is*
19 *amended to read:*

20 38591. (a) The state board, by July 1, 2007, shall convene an
21 environmental justice advisory committee, of at least three
22 members, to advise it in developing the scoping plan pursuant to
23 Section 38561 and any other pertinent matter in implementing this
24 division. The advisory committee shall be comprised of
25 representatives from communities in the state with the most
26 significant exposure to air pollution, including, but not limited to,
27 communities with minority populations or low-income populations,
28 or both.

29 (b) The state board shall appoint the advisory committee
30 members from nominations received from environmental justice
31 organizations and community groups.

32 (c) The state board shall provide reasonable per diem for
33 attendance at advisory committee meetings by advisory committee
34 members from nonprofit organizations.

35 (d) *(1)* The state board shall appoint an Economic and
36 Technology Advancement Advisory Committee, *of at least five*
37 *members but not to exceed 10 members*, to advise the state board
38 on activities that will facilitate investment in and implementation
39 of technological research and development opportunities, including,
40 but not limited to, identifying new technologies, research,

1 demonstration projects, funding opportunities, developing state,
2 national, and international partnerships and technology transfer
3 opportunities, and identifying and assessing research and advanced
4 technology investment and incentive opportunities that will assist
5 in the reduction of greenhouse gas emissions *on a global basis*.
6 ~~The committee may also advise the state board on state, regional,~~
7 ~~national, and international economic and technological~~
8 ~~developments related to greenhouse gas emission reductions.~~

9 (2) *The committee may also conduct an economic assessment*
10 *that includes, but is not limited to, a marginal cost analysis of*
11 *various strategies for reducing greenhouse gases.*

12 (3) *The membership of the committee shall consist of experts*
13 *in energy technology and economics.*